

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

No. 06-CR-20188

vs.

Hon. Gerald E. Rosen

ROGERS JENNINGS,

Defendant.

_____ /

ORDER FINDING DEFENDANT COMPETENT TO STAND TRIAL

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on May 18, 2009

PRESENT: Honorable Gerald E. Rosen
Chief Judge, United States District Court

This matter is presently before the Court on Defendant's (sealed) motion to determine competency and suppress statements and fingerprints. The Court held a two-day evidentiary hearing on November 13 and December 8, 2006 on this matter during which the Court heard the testimony of Defendant's witness, William Nixon, Jr., PhD, and the Government's witness, Charles Clark, PhD. The doctors' reports and other records pertaining to Defendant Jennings were also received into evidence. At the conclusion of the December 2006 hearing, the Court ordered an independent psychiatric examination of Defendant.

The independent psychiatric examination was delayed for a substantial period of time due to Mr. Jennings' health. Mr. Jennings was finally examined by court-appointed

expert, Dr. Robert Spitzer, M.D. in March 2008. Dr. Spitzer thereafter submitted two reports in which he concluded that, based upon his examination of Defendant, the examinations of Doctors Nixon and Clark, and Defendant's medical/psychiatric history, Defendant Jennings has "the ability to understand and interact with his attorney in terms of the charges and consequences and legal issues" and that, albeit impaired and with some degree of difficulty, Jennings has the ability to communicate with his lawyer.

Having reviewed and considered all of the testimony and evidence presented in this matter, based upon the report of the court-appointed independent expert, Dr. Spitzer, the Court concludes that Defendant Jennings is able to understand the nature and consequences of the proceedings and to assist in his defense. Therefore, the Court finds Defendant Jennings COMPETENT to stand trial in this matter.

SO ORDERED.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: May 18, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on May 18, 2009, by electronic and/or ordinary mail.

s/Ruth Brissaud
Case Manager